

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

| | | |
|----------------------------|---|------------------------|
| DANIEL J. BEISWANGER, JR., |) | |
| |) | |
| Plaintiff |) | |
| VS. |) | CASE NO. 1:21-cv-00112 |
| |) | |
| RICOH USA, INC., |) | |
| LISA JERRETT, and |) | |
| GARRETT BRODERICK, |) | |
| |) | |
| Defendants. |) | |

**PLAINTIFF’S REQUEST FOR ORAL ARGUMENT ON DEFENDANTS’
PARTIAL MOTION TO DISMISS AMENDED COMPLAINT**

Plaintiff, Daniel J. Beiswanger, Jr. (“Beiswanger”), by counsel, requests pursuant to N.D. Ind. L.R. 7-5 Oral Argument on Defendants’ Partial Motion to Dismiss Plaintiff’s Amended Complaint and states as follows:

1. On May 13, 2021, Defendants filed their Partial Motion to Dismiss Amended Complaint [DKT 24] and Brief in Support of Partial Motion to Dismiss Plaintiff’s Amended Complaint [DKT 25] (“Defendants’ Motion”).
2. On June 3, 2021, Plaintiff filed his Response in Opposition to Defendants’ Partial Motion to Dismiss Amended Complaint [DKT 31] concurrently herewith Beiswanger files this request.
3. Pursuant to N.D. Ind. L.R. 7-5, Plaintiff requests Oral Argument be scheduled for one hour on Defendants’ Motion.
4. Oral Argument is warranted based upon the landmark decision of *Mount Lemmon Fire Dist. v. Guido*, 139 S. Ct. 22 (2018) and its application to individual liability under the ADEA

and this case. Counsel for the Plaintiff believes the other issues presented for determination are sufficiently nuanced to render oral argument of assistance to the Court.

WHEREFORE, Plaintiff, by counsel, requests the United States District Court to schedule Oral Argument on Defendants' Motion and for all other just and proper relief.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of June, 2021, a copy of the above and foregoing Request for Oral Argument on Defendants' Partial Motion to Dismiss Amended Complaint was served on the following parties electronically by using the Court's CM/ECF System to:

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